

(A16Y,S.

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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In Re Terrorist Attacks on September 11, 2001 : 03 MDL 1570 (RCC)  
: ECF Case  
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X

This document relates to:

*Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al.*  
(02 CV 6977) ("Ashton")

*Thomas E. Burnett, et al. v. Al Baraka Inv. & Dev.*  
*Corp., et al. (03 CV 9849) ("Burnett D.C.")*

*Thomas E. Burnett, et al. v. Al Baraka Inv. & Dev.*  
*Corp., et al. (03 CV 5738) ("Burnett N.Y.")*

*Cantor Fitzgerald & Co., et al. v. Al Baraka Inv. & Dev.*  
*Corp., et al. (04 CV 7065) ("Cantor Fitzgerald")*

*Euro Brokers, Inc., et al. v. Al Baraka Inv. & Dev.*  
*Corp., et al. (04 CV 7279) ("Euro Brokers")*

*Federal Ins. Co., et al. v. Al Qaida, et al. (03 CV 6978)*  
(("Federal Insurance"))

*New York Marine and General Ins. Co. v. Al Qaida, et*  
*al. (04 CV 6105) ("N.Y. Marine")*

*Estate of John P. O'Neill, Sr. v. Al Baraka Inv. & Dev.*  
*Corp., et al. (04 CV 1923) ("O'Neill")*

*World Trade Center Prop., LLC, et al. v. Al Baraka*  
*Inv. & Dev. Corp., et al. (04 CV 7280) ("World Trade*  
*Center Properties")*

*Continental Casualty Co., et al. v. Al Qaeda, et al.*  
(04 CV 5970) ("Continental Casualty")

**CONSENT MOTION AND STIPULATION AS TO SUPPLEMENTAL MEMORANDA**  
**AND EXTENSION OF TIME**

WHEREAS, DMI Administrative Services S.A. ("DMI S.A.") and Dar Al-Maal Al-Islami Trust ("DMI Trust") and plaintiffs (except for the *Continental Casualty* plaintiffs) have entered into a Consent Motion and Stipulation as to Service of Process and Extension of Time (the "Global Stipulation") that was Ordered by the Court on July 26, 2005 (Docket No. 1068);

WHEREAS, DMI S.A. and DMI Trust have responded to all of plaintiffs' Complaints according to the schedule set forth in the Global Stipulation and DMI Trust has responded to the First Amended Complaint in the *Continental Casualty* action; and

WHEREAS, the parties have had discussions pursuant to which they have agreed to enter into the present Consent Motion and Stipulation as to Supplemental Memoranda and Extension of Time, providing that DMI S.A. and DMI Trust shall serve and file short supplemental memoranda, not to exceed 10 pages each, in response to the additional or newly worded allegations in certain consolidated or amended pleadings filed by plaintiffs on or about September 30, 2005, and providing all plaintiffs a reasonable extension of time to file their Opposition briefs, the parties having conferred hereby move the Court to adopt this Consent Motion and Stipulation as to Supplemental Memoranda and Extension of Time.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by, between, and among counsel to the respective parties, that on November 4, 2005, DMI S.A. and/or DMI Trust shall serve and file three supplemental memoranda, not to exceed 10 pages each. DMI S.A. shall respond to the *O'Neill* plaintiffs' 'First Consolidated Complaint'; DMI Trust shall respond to the *Ashton* plaintiffs' Sixth Amended Complaint; and DMI Trust shall respond to the *Continental Casualty* plaintiffs' 'Second Amended Complaint' and DMI S.A. and DMI Trust shall respond to the *N.Y. Marine* plaintiffs' 'Second Amended Complaint.'

IT IS FURTHER HEREBY STIPULATED AND AGREED that the time provided in the Global Stipulation for plaintiffs to file a partially consolidated opposition to the motions submitted by DMI S.A. shall be extended to and through December 5, 2005, and that the time provided in the Global Stipulation for plaintiffs, who will now be deemed to include the *Continental Casualty* plaintiffs, to file a partially consolidated opposition to the motions

submitted by DMI Trust shall be extended to and through December 19, 2005. DMI S.A. shall file reply papers in the *Cantor Fitzgerald* and *O'Neill* actions on January 13, 2006; in the *Burnett D.C.*, *Burnett N.Y.*, *World Trade Center Properties*, and *Euro Brokers* actions on January 20, 2006; and in the *Federal Insurance* action on January 27, 2006. DMI Trust shall file reply papers in the *N.Y. Marine*, *Continental Casualty*, and *Federal Insurance* actions on January 27, 2006; in the *Ashton*, *Cantor Fitzgerald*, and *O'Neill* actions on February 3, 2006; and in the *Burnett D.C.*, *Burnett N.Y.*, *World Trade Center Properties*, and *Euro Brokers* actions on February 10, 2006.

IT IS FURTHER HEREBY STIPULATED AND AGREED that this Stipulation is entered into without prejudice to the ability of DMI S.A. and DMI Trust to move the Court for an additional extension of time to respond upon or prior to the above referenced dates and/or to any objections that plaintiffs may make to such a motion.

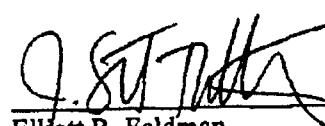
IT IS FURTHER HEREBY STIPULATED AND AGREED that the parties hereto  
reserve all rights and defenses not specifically addressed hereby.

Dated: New York, New York  
October 25, 2005

Respectfully submitted,

COZEN O'CONNOR

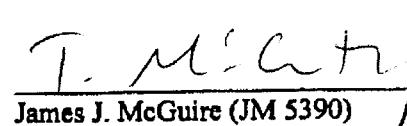
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*Attorneys for Federal Insurance Plaintiffs and liaison  
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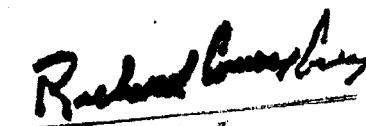
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SO ORDERED

  
Richard C. Rosenberg 10/27/05  
U.S.D.J. 